

**March 28, 2006**

## **New law may hamper Nevada mining watchdog group**

**By BRENDAN RILEY -- ASSOCIATED PRESS**

CARSON CITY, Nev. (AP) - The chief proponent of a new law cited by the state in trying to block a mining industry watchdog group's efforts to stop pollution from an old Nevada gold mine said Tuesday that he didn't envision the law being used that way.

Lobbyist Jim Wadhams said he pushed the legislation on behalf of independent insurance agents. His numerous clients include Newmont Mining Corp., but Wadhams said the mining industry wasn't involved in the effort to pass SB428. A review of committee testimony on the bill turned up no mention of the industry.

Wadhams also said Great Basin Mine Watch, which claims the state failed to prevent pollution from the shut-down Big Springs Mine in Elko County from flowing into the Humboldt River, still has a good argument against the state's move to block its involvement.

The Division of Environmental Protection said last week that the watchdog group can't appeal to the state Environmental Commission because the 2005 law eliminated such maneuvers by public interest groups.

William Frey, deputy attorney general for the division, said the law states that an appeal can be filed in such cases only if the appellant has a financial stake in the outcome. The commission will consider Great Basin's appeal on Wednesday.

"I'm not sure this should stop a public interest group from being able to challenge the work of an agency," Wadhams said. "Great Basin simply has to find a downstream farmer" whose crops are threatened by the pollution.

"To the extent that Great Basin is inconvenienced, that's all it is," he added. "I have seen judges say, 'Identify a legitimate member of your organization, and the organization can represent that member.' This isn't a stopper."

The Big Springs Mine, owned by the AngloGold Ashanti corporation, hasn't operated for 10 years. It's one of many holdings of AngloGold Ashanti, a global company with assets in key gold producing regions in ten countries.

The state division issued a permit last July that authorized permanent closure of the mine, but Great Basin Mine Watch said the division failed to deal with continuing discharges of polluted water that runs into the north fork of the Humboldt.

Elyssa Rosen, senior policy adviser for Great Basin Mine Watch, said pollutants from the mine include elevated levels of salt, selenium, arsenic and manganese - all toxic to aquatic life in high concentrations.

The north fork of the Humboldt cuts through the Toiyabe National Forest in the Independence Range, a popular hunting and fishing area. Fish in the river include the Lahontan cutthroat trout, a threatened species.

"Why would an environmental protection agency want to bar citizen groups from the environmental policy process?" said Nicole Rinke, attorney for the Western Mining Action Project which is working with Great Basin Mine Watch to stop the pollution from the Big Springs Mine.

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